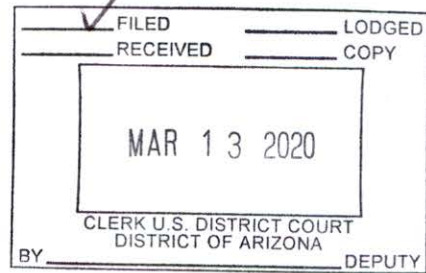


1

Edwin A. Groover
 6345 S. Natoma Trail
 Hereford, AZ 85615
 lowet55@gmail.com
 Plaintiff Pro se



U.S. District Court District of Arizona
405 W. Congress Street Suite 1500
Tucson, Arizona 85701

Edwin A. Groover,
 Plaintiff,
 Governor Douglas Ducey
 Pima County
 Judge C. Holguin
 H. Manjarres Badge 06172
 Defendant

Case No.: Number CV-20-107-TUC-LAB

Complaint

"Personal liberty largely consists of the Right of locomotion -- to go where and when one pleases -- only so far restrained as the Rights of others may make it necessary for the welfare of all other citizens. The Right of the Citizen to travel upon the public highways and to transport his property thereon, by horse drawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but the common Right which he has under his right to life,

PLEADING TITLE - 1

1 liberty, and the pursuit of happiness. Under this Constitutional guarantee one may,
2 therefore, under normal conditions, travel at his inclination along the public
3 highways or in public places, and while conducting himself in an orderly and
4 decent manner, neither interfering with nor disturbing another's Rights, he will be
5 protected, not only in his person, but in his safe conduct." [emphasis added]
6
7

8 *American Jurisprudence 1st. Constitutional Law*, Sect.329, p 1135.

9
10 Table of Contents:

11 Cited for:

12 No proof of insurance

13 No registration card

14 Denial of Due Process, Infliction of Excessive and therefore Cruel and Unusual

15 Punishment, Infliction of Involuntary Servitude, Assault, Extortion, Racketeering

16 Influenced Corrupt Organizations (RICO), Creating Fictitious Obligations,

17 Conspiracy, Treason, Assault, Battery, Overt Acts
18
19
20
21
22

23 1. Comes now the Plaintiff above named in his own natural person and
24 complains against Defendants above named for depriving Plaintiff of
25 constitutional rights under color of State Law, custom or usage, conspiracy
26 to so deprive and/or failure, neglect or refusal to protect plaintiff from said
27
28

1 conspiracy although it was within their power to do so.

2
3 **Jurisdiction**

4 2. This Court has jurisdiction under Title 28 USC 1343 (1), (2), (3), and (4) and
5 under Title 42 USC 1983, 1985.
6

7 3. Plaintiff and individuals, named are citizens and residents of the State of
8 Arizona. Defendants are employees of the State of Arizona and Pima County.
9

10 **Venue**

11 Venue is proper pursuant to 28 U.S.C § 1391 because the events giving rise to this
12 complaint occurred in this district.
13

14 **1st Cause of Action**

15
16 4. Title 18 USC section 241 and 242

17 5. Plaintiff is a resident of Cochise County, State of Arizona for the past 4 years.
18

19 6. Judge C. Holguin is a Pima County Judge for the State of Arizona

20 7. Douglas Ducey is the governor of the State of Arizona and is responsible for the
21 actions, training, and behavior of State employees.
22

23 8. H. Manjarres is an Arizona State Highwayman.

24 9. Pima County is a beneficiary of Defendants Ducey, Holguin and Manjarres
25 illegal activity.
26

27 10. By law, Arizona Revised Statute 38-321, State of Arizona, Defendants, Ducey,
28

Holguin, Manjarres, have been required by Oath or affirmation, to support and defend Plaintiff's Constitutional rights when or where they claim to have jurisdiction over or official duties with Plaintiff.

Issued citations on November 7, 2018

11. On November 7, 2018, Arizona Armed Highwayman H. Manjarres issued a citation 912223018306003 (case number TR18-025696-CV) for;

1. 28-2158C Fail to carry vehicle registration card
2. 28-4135C Fail to produce evidence of financial responsibility.
3. The above citations created fictitious obligations.

Plaintiff states, my rights are God given and the Constitution offers a legitimate program to protect those rights, which cannot be usurped by government. Government is the servant of the sovereign "We the People" And as a sovereign I declare God and the Constitution protect my rights to freedom of religion, freedom of thought, the right to liberty. This motor vehicle statute is a violation of God given inalienable rights and Constitutionally protected rights under the first, the fourth, fifth, sixth, ninth and tenth amendments. Neither the legislature nor any other body of government has the authority to pass a law (statute or code) that conflict with the United States Constitution or the Arizona State Constitution. This motor vehicle code was based on lies and fraud and was void at its inception.

1 Defendant H. Manjarres held Plaintiff against his will for approximately 15
2 minutes. Defendant H. Manjarres acted outside his lawful duties, as he had no
3 lawful cause to stop or cite Plaintiff. "Where an individual is detained, without a
4 warrant and without having committed a crime (traffic infractions are not crimes
5 Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 169 N.E. 22.), the detention is
6 a false arrest and false imprisonment." Damages Awarded: Trezevant v. City of
7 Tampa, 241 F2d. 336 (11th CIR 1984).

8 "An illegal arrest is an assault and battery".....(*State v. Robinson*, 145 ME. 77,
9 72 ATL. 260).

10 Article 6 paragraph 2 (the Supremacy Clause) of the US Constitution declares the
11 Constitution and the laws in pursuance thereof made under the authority of the
12 United States shall be the supreme law of the land.

13 The judges in every state shall be bound thereby. Any thing in conflict or
14 repugnancy is null and void of Law.

15 All infringement is forbidden...I claim encroachment, infringement, impingement,
16 usurpation, I claim Defendants application of this motor vehicle code is violating
17 my rights.

18 "The right to travel (called the right of free ingress to other states, and egress from
19 them) is so fundamental that it appears in the Articles of Confederation, which
20 governed our society before the Constitution." (*Paul v. Virginia*).

1 "The Constitution of these United States is the supreme law of the land, any law
2 that is repugnant to the constitution is null and void of law. "Marbury vs. Madison,
3
4 5 US 137 1803.

5 The motor vehicle code requiring license, registration and compulsory insurances
6
7 makes government violate the law. "[T]he right to travel freely from State to
8 State ... is a right broadly assertable against private interference as well as
9 governmental action. Like the right of association, *it is a virtually unconditional*
10 *personal right, guaranteed by the Constitution to us all.*" U.S. Supreme Court,
11 *Shapiro v. Thompson.*

12
13
14 Title 18 US code section 2381 which says that in the presence of two witnesses to
15 the same overt act or in an open court of law if they fail in a timely manner to
16 move to protect and defend the Constitution and honor their oath of office they are
17 subject to the charge of capital felony - treason.

18
19 Everyone involved in the persecution of me under these void statues has been a
20 trespasser. My constitutional rights have been violated by this unconstitutional
21 void motor vehicle code. When a statute, law or code goes against the Constitution
22 it is null and void of law, it bears no power to enforce, no obligation to obey,
23
24 purports to settle as if it never existed, unconstitutionality dates from the enactment
25 of such law not from any dates so branded in an open court of law. This motor
26 vehicle code is repugnant to the Arizona Constitution and the Constitution of these
27
28

1 United States.

2 I have a right to travel and exercise my freedom unencumbered as I see fit
3
4 according to the first Amendment of the Constitution of the United States and
5 according to the Arizona State Constitution.

6
7 A state may not impose a charge for the enjoyment of a right granted by the
8 Federal and State Constitutions. "No state shall convert a liberty into a privilege,
9 license it, and attach a fee to it "Murdoch v Penn. 319 US 105 1943. Plaintiff was
10 cited for no proof of financial responsibility and no registration card.

11
12 Defendant Ducey enforces the activities of his subordinates through state
13 government policies, training, and the benefits they all receive. Plaintiff feels
14 certain the discovery process will reveal additional crimes. The following is a
15 general description of the Arizona traffic revenue scam based on Plaintiff's
16 experiences with the Arizona JP Court system. It conforms to the definition of the
17 RICO act; *"A racket is generally a repeated or continuous organized criminal*
18 *operation. However, according to the more specific definition, racketeering*
19 *constitutes extortion or criminal coercion.* Originally and often still specifically, a
20 "racket" referred to a criminal act in which the perpetrator or
21 perpetrators fraudulently offer a service that will not be put into effect, a service to
22 solve a nonexistent problem, or to solve a problem that would not exist without the
23 racket. Conducting a racket is **racketeering**.

1 A. Men and women, herein referred as Victims, through propaganda not based on
2 law, are taught they are required to purchase a “driver’s License”/“chauffeur’s
3 License” to ride in their non-commercial vehicles on the roadways the victims pay
4 for through fuel taxes; failure to purchase the License and insurance will cause the
5 Victim engaged in ordinary travel to be arrested/cited/ or kidnapped by the
6 weaponized highwaymen acting as Peace Officers.
7

8 B. The Victim through harassment and coercion from the weaponized highwaymen
9 acting as Peace Officers, are forced into buying forced insurances and motor
10 vehicle registration. Service and display the receipt via a “License Plate”, failure to
11 display such receipt will cause the victim’s vehicle to be taken through force
12 exercised by the weaponized highwaymen acting as Peace Officers.
13
14
15
16

17 C. The weaponized highwaymen acting as Peace Officers ensure the victim
18 appears before an alleged Traffic Referee who through abuse of process extorts
19 Fines and Court Cost from the Victim. Said fines and court costs are paid by the
20 victim with Federal Reserve Notes that are not backed by gold or silver coin as
21 stipulated in Article 1 Section 10 of the Constitution.
22
23

24 D. This harassment and coercion is supported and upheld by the State’s Governor,
25 lower courts and is further supported by with a blind eye approval from the State’s
26 higher Courts.
27
28

1 E. The basic proceeds are as follows:

2
3 a. Licensed and Registration proceeds are shared by the State and The
4 Municipalities that host MVD Offices.

5
6 Proceeds from this "traffic racket" benefits all State Officers, State/Municipal
7 Employees and all State run pension plans.

8
9 b. Fine and Penalty proceeds are shared by the Courts, The Municipalities and The
10 State Treasury. Municipalities use a portion of these funds to hire more revenue
11 making highwaymen and Traffic Referees.

12
13
14 Defendants have committed a crime that is clearly unconstitutional. The motor
15 vehicle code prohibiting travel without proof of financial responsibility and a
16 registration card is unconstitutional and violates my rights to freedom; my right to
17 travel freely and unencumbered cannot be regulated by a motor vehicle code.

18
19
20
21 The Constitution is the supreme law of the land and under the first amendment I
22 can enjoy that right with impunity. It is a God given right secured by the
23 Constitution and that right shall not be invaded, and it is supposed to be enforced
24 in favor of me the clearly intended and expressly designated beneficiary of the
25 Contract (The United States Constitution and Arizona State Constitution).

26
27
28 "If the state converts a liberty into a privilege the citizen can engage in the right
PLEADING TITLE - 9

1 with impunity.”Shuttlesworth vs. Birmingham, 373 US Report 262

2 I have relied upon the United States Constitution and on prior decisions of the
3
4 Supreme Court, and the exercise of Plaintiff’s right to travel cannot be construed to
5 violate the law therefore I have a defense against willfulness. There was no evil
6
7 motive or intent.

8 Defined; willfulness is an evil motive or intent to avoid a known duty or task under
9
10 the law of moral certainty. U.S. v Bishop, 412 US 346.

11 Defendants can’t claim ignorance of the law because a citizen can’t claim
12
13 ignorance of the law. Defendants cannot claim that they acted in good faith for
14
15 willful deprivation of the law and they certainly cannot claim ignorance of the law
16
17 as they swore an Oath of Office to the Constitutions of the United States and
18 Arizona.

19 **License and Registration are Titles of Nobility**

20 12. Both are Titles of nobility.

21 13. Said citations are bills of attainder in violation of Article 1 Section 10 of the
22
23 Constitution.

24 **Federal Reserve notes not backed by silver and gold**

25 14. Arizona State Highwayman H. Manjarres issued citations that required Plaintiff
26
27 to pay said fine (debt) with Federal Reserve Notes that are not backed by gold or
28

1 silver coin as stipulated in Article 1 Section 10 of the Constitution.

2 15. All this was done under, Color, Custom and Usage of Commercial Arizona
3
4 Motor Vehicle statutes.

5
6
7 **Denial of Due Process**

8
9 16. Plaintiff is guaranteed Due process of Law by the Fifth Amendment of our U.S.
10 Constitution.

11 17. The Bill of Rights includes, Counsel of choice in the 6th amendment.

12
13 18. Due Process is guaranteed by both the 5th and the 14th amendments to the
14 constitution.

15
16 19. Plaintiff requested an alternative court date in writing because the citations
17 were issued while plaintiff was traveling.

18
19 20. Plaintiff was denied an alternative court date.

20 21. Judge Holguin has presupposed Plaintiff is guilty of committing some crime or
21 violating a state statute. The Arizona Revised Statutes applied to plaintiff cannot
22 apply to Plaintiff's right to travel. It would violate plaintiffs right to use a public
23 roadway. Boyd v. U.S., 116 U.S. 616: "The court is to protect against any
24 encroachment of constitutionally secured liberties."
25

26
27 Defendant Holguin willfully and intentionally used his position as a Pima County
28

1 Judge to find Plaintiff responsible for something that does not apply to Plaintiff.

2 All of this was done for financial gain.

3
4 **Infliction of Excessive and therefore Cruel and Unusual Punishment**

5
6 22. Under the 8th Amendment, cruel and unusual punishment may not be applied
7 against Plaintiff.

8
9 23. Defendants have imposed cruel and unusual punishment by the mental stress
10 placed upon Plaintiff. Caused by Defendants extortion for exercising his right to
11 free travel on an interstate highway. "There can be no sanction or penalty imposed
12 upon one because of this exercise of Constitutional rights."- Sherar v. Cullen, 481
13 F. 945.

14
15 24. Under the 1st amendment to the constitution, Plaintiff's right to travel freely
16 and unencumbered is guaranteed.

17
18 25. Plaintiff reserves all powers not specifically delegated to the Federal or State
19 Government and he has not waived any of the rights aforementioned, which for the
20 most part are natural rights, but which are also protected by the constitution.
21

22
23 **Infliction of Peonage and Involuntary Servitude**

24 26. Under the 13th. Amendment to the constitution Plaintiff is protected against
25 peonage and involuntary servitude, where the actions of Defendants appear to
26 destine Plaintiff.
27

1 27. The 14th amendment of the constitution No state shall make or enforce any
2 law, which shall abridge the privileges or immunities of citizens of the United
3 States; nor shall any state deprive any person of life, liberty, or property, without
4 due process of law; nor deny to any person within its jurisdiction the equal
5 protection of the laws.
6

7
8 28. Defendants conspired outside their lawful duties, to bring to bear upon
9 Plaintiff unconstitutional acts under color, custom and usage of state laws.
10

11 29. Defendants acted outside the perimeters their lawful duties.

12 30. Defendants violated their oaths of office. They did so under color, custom and
13 usage of federal and state Law. Defendants acted grossly, willfully, wantonly,
14 unlawfully, carelessly, recklessly, negligently, maliciously, purposefully,
15 intentionally and discriminatingly against plaintiff and did so taking advantage of
16 color, custom and usage of state law and a citizen's fear of state personnel
17 prosecuting good citizens for having stood up for their natural rights protected by
18 the U.S. Constitution and the Arizona State Constitution.
19
20
21

22 **Conspiracy and Overt Acts**

23

24 31. Defendants conspired together and with others as yet unknown to Plaintiff to
25 deprive him of his rights.
26

27 32. Overt acts committed by Defendants include that complained of in above
28

1 paragraphs of this complaint.

2
3 33. Denying Plaintiff a right to a hearing, are all in collusion with the State
4 Legislative Branches of the State of Arizona.

5 34. Defendants named above relying on their own discretion and erroneous
6
7 interpretation of the Supreme Law of the Land, which is the Constitution and not
8 any statute in conflict there with, issued or coursed to be issued an order for
9 Plaintiff to conspire with Defendants to subvert the constitution by accepting Titles
10 of Nobility and to make something other than gold and silver coin a tender for
11 payment of debt.
12
13

14 35. All these are contrary Article 1, Sec. 10, of the Constitution.

15 36. Defendants forenamed deprived Plaintiff of his 9th and 10th Amendment rights,
16
17 which protect him from Oath-breaking so-called "public servants" who wallow in
18 the pubic trough while trampling upon Plaintiff's Constitutional Rights.
19

20 37. Said defendants, meanwhile attempt to impose totalitarian socialism upon
21 Plaintiff, although such a system is the antithesis of the Constitution, that public
22 servants and duly constituted authorities are sworn to uphold.
23

24 38. Defendants have exceeded their jurisdiction.

25 39. Defendants have abused their discretion.
26

27 40. Defendants have acted outside the lawful perimeters of their official duties.
28

1 41. Defendants have grossly, willfully, wantonly, unlawfully, carelessly, recklessly,
2 negligently, intentionally, maliciously, purposefully, and discriminatingly
3 conspired to deprive plaintiff of his constitutional rights and they have refused,
4 neglected or failed to protect plaintiff from said conspiracy although they have
5 been a position to do so.
6

7
8 Defendants have acted with a "depraved indifference" to plaintiff's life and the
9 rights they have sworn to uphold.
10

11 42. Defendants acts as heretofore complained of, and have caused harm and
12 damage to plaintiff.
13

14 43. Said acts have imposed an intolerable and dehumanizing burden that no one
15 should have to endure, insomnia, worry, financial insecurity, stress and strain in
16 relationships, in his work, his family, relatives and friends.
17

18 44. They have subjected him to public ridicule and embarrassment. Plaintiff is a
19 100% disabled veteran and requires a state license to access federal installations
20 such as Ft. Huachuca and the Southern Arizona VA Health Care System in Tucson
21 this intensifies cruel and unusual punishment.
22

23
24 **Prayer**

25 45. The egregious nature of Defendants complained of acts are so far removed
26 from decent social standards that they entitle plaintiff to recover money damages
27
28

1 from defendants as follows:

2 46. For general damages \$ 5,000,000.00

3 47. For punitive damages \$1,000,000.00

4 48. In addition plaintiff prays such other and further relief as to the jury demanded
5
6 in this case shall appear just.

7 49. Defendants herein are sued in their individual capacities and not as agents of
8
9 the State of Arizona or The United States.

10 50. This is a civil rights Suit and not under the torts claims act.

11 51. The United States or the State of Arizona cannot be substituted, as a party
12
13 Defendants and the consent of the United States or the State of Arizona to be sued
14
15 are not demanded.

16 52. If necessary; Plaintiff demands for all issues to be decided by the Jury
17
18 Demanded.

19 53. If defendants move to dismiss this suit, Plaintiff Demands that it be heard by
20
21 the jury demanded, and only be dismissed if the Jury considers it lacks merit.
22

23
24 Respectfully submitted,

25 

26 Edwin Allen; Groover,

27 Date 3-12-2020